

## R430-60-11: SUPERVISION AND RATIOS.

- (1) The provider shall ensure that caregivers provide and maintain direct supervision of all children at all times.

### Rationale / Explanation

*Supervision of children is basic to the prevention of harm. Parents have an expectation that their children will be supervised when in the care of the provider. To be available for supervision as well as rescue in an emergency, a caregiver must be able to see and hear the children. Caregivers are to regularly assess the environment to see how their ability to see and hear children during activities might be improved. Many instances have been reported in which a child was hidden when the group was moving to another location or a child wandered off when a door was open. Regular counting of children can alert the caregiver to a missing child. CFOC, 3<sup>rd</sup> Ed. pgs. 64-66 Standard 2.2.0.1.*

### Enforcement

*This rule is out of compliance if there is no qualified caregiver in the room with the children. This rule is not out of compliance if there is a qualified caregiver in the room but his or her back is turned to the children or if a caregiver sends a school age child to do a brief errand out the classroom (for example, take something to the kitchen or office).*

*If a classroom does not have a bathroom in or adjacent to it, children age 3 and older may be go to the bathroom by themselves, as long as the Licensee has and follows a written policy that includes the following:*

*Only one child at a time from a classroom may be allowed to go to the bathroom by himself/herself.*

*Another child cannot be allowed to leave to use the bathroom until the previous child has returned.*

*To make sure each child returns in a reasonable amount of time, the classroom caregiver must track the time each child is gone to use the bathroom,*

*Building exits must be effectively monitored to ensure that children sent to the bathroom do not leave the building.*

*If the children use a bathroom that is shared by the public (for example a gym, rec center, park bathroom, etc.), information regarding the supervision of children while in the bathroom.*

*Level 1 Noncompliance except as listed below for Level 2.*

*Level 2 Noncompliance if a large room is completely separated into smaller classrooms (so that children and caregivers do not have an opening or an open gate through which they can move freely between the divided classrooms) and one of the divided rooms does not have a caregiver present or if school age only children are unsupervised .*

- (2) Caregivers shall actively supervise children on the playground to minimize the risk of injury to a child.

### Rationale / Explanation

*Children like to test their skills and abilities. This is particularly true in outdoor playgrounds with playground equipment. Even if the highest safety standards for playground layout, equipment, and surfacing are met, serious injuries can still happen if children are left unsupervised. CFOC, 3<sup>rd</sup> Ed. pgs. 64-66 Standard 2.2.0.1.*

### Enforcement

*Actively supervising children means the caregivers' attention is focused on the children at all times, and not on*

## R430-60-11: SUPERVISION AND RATIOS.

personal interests (such as visiting with other caregivers, talking on a cell phone, text messaging, reading, etc.) or non-caregiving duties. Caregivers are also to maintain awareness of the entire group even when interacting with small groups or individual children and position themselves so that all children playing on the playground are supervised.

If there are children on separate playgrounds and there is not an open gate between them, there must be a caregiver(s) in each of the playgrounds.

Children age 3 and older may be allowed to leave the playground to use the bathroom by themselves, as long as the Licensee has and follows a written policy that includes the following:

Only one child at a time from each group on the playground may be allowed to go to the bathroom by themselves. Another child cannot be allowed to leave to use the bathroom until the previous child has returned.

The caregiver must track the time each child is gone to use the bathroom, to make sure each child returns in a reasonable amount of time.

Building exits must be effectively monitored to ensure that children sent to the bathroom do not leave the building.

If the children use a bathroom that is shared by the public (for example a gym, rec center, park bathroom, etc.), information regarding the supervision of children while in the bathroom.

Always Level 1 Noncompliance.

(3) The licensee shall maintain minimum caregiver to child ratios as provided in Table 2.

TABLE 2		
Caregiver to Child Ratios		
Caregivers	Children	Limits for Mixed Ages
1	12	No children under age 2
1	8	2 children under age 2
1	6	3 children under age 2

### Rationale / Explanation

An October 2005 legislative audit of the Child Care Licensing Program examined Utah's ratio rule specifically, and found that Utah's requirements are consistent with other states. The audit stated that Utah ratios are actually on the less restrictive end of the range used by states and fall below the national standards for every age group. The audit concluded that Utah's rules are reasonable and justifiable.

The purpose of required caregiver to child ratios is to ensure that there are enough caregivers to adequately supervise children, ensure children's safety, and meet children's needs. Low caregiver to child ratios are most critical for infants and toddlers. Infant development and caregiving quality both improve when groups sizes and caregiver to child ratios are smaller. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2

It is also important for caregiver to child ratios to be sufficiently low to keep caregiver stress below levels that could result in anger with children. Caring for too many children increases the possibility of stress for caregivers, and may result in loss of self-control. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2

### Enforcement

A group with more than one caregiver may be temporarily out of ratios for brief periods of time, if one caregiver leaves the room but remains in the center in order to meet the immediate needs of children in his or her group,

## R430-60-11: SUPERVISION AND RATIOS.

such as helping a child who is hurt, getting food for children, taking a sick child to the office, getting medication for a child, helping a child in the bathroom, helping a child change soiled clothing, etc. (Examples of tasks **not** related to meeting the immediate needs of the children in the group include doing laundry or other housekeeping duties, making personal phone calls, taking a work break, etc.)

A group with more than one caregiver may be temporarily out of ratio very briefly if a staff person needs to use the bathroom and if there is no other employee present in the center (cook, director, receptionist, etc.) to assist in giving the caregiver a break.

Level 1 Noncompliance if:

a group with children under age 2 is over ratio by any amount

a group without children under age 2 is over ratio by 4 or more children

Level 2 Noncompliance if a group without children under age 2 is over by 3 children.

Level 3 Noncompliance if a group without children under age 2 is over ratio by 1 or 2 children.

- (4) Regardless of the number of other children and the minimum ratios in Table 2, if only two caregivers are present, the facility may not care for more than four children under the age of two.**

### Rationale / Explanation

The purpose of this rule is so that there will be enough adults present to evacuate all children in the group, including infants and toddlers who must be carried, in the event of an emergency. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2.

### **Enforcement**

Always Level 1 Noncompliance.

- (5) For no more than 20 minutes, the minimum ratios in Table 2 may not exceed one caregiver to 16 children if none of the children are younger than 24 months old, to allow for an additional caregiver to arrive at the program.**

### Rationale / Explanation

The purpose of this rule is to assist in staffing a program that does not have children attend on a regularly scheduled basis.

### **Enforcement**

Level 1 Noncompliance if the minimum ratios in Table 2 are exceeded for more than 35 minutes.

Level 2 Noncompliance if the minimum ratios in Table 2 are exceeded for more than 30 minutes.

Level 3 Noncompliance if the minimum ration in Table 2 are exceeded for more than 25 minutes.

- (6) An hourly program that exceeds the ratio in Table 2 must be able to document having care givers, who, as a condition of employment, are on call to come to the program as needed and arrive at the program within 20 minutes after receiving notification to report.**

## **R430-60-11: SUPERVISION AND RATIOS.**

### **Rationale / Explanation**

*The purpose of this rule is to assist in staffing a program that does not have children attend on a regularly scheduled basis.*

### **Enforcement**

*Always Level 3 Noncompliance*

- (7) Whenever the total number of children present to be cared for at a hourly program is more than 20, children younger than 24 months must be cared for in an area that is physically separated from older children. All children 24 months and older may be cared for in the same group in the same area.**

### **Rationale / Explanation**

*Infants need quiet, calm environments, away from the stimulation of older children and other groups. Toddlers are relatively new at basic motor skills such as walking, climbing, and running, and have slower reaction times. Both infants and toddlers are smaller than older children. Because of these developmental differences, mixing infants or toddlers with older, larger, and more physically developed children places the infants and toddlers at increased risk for unintentional injuries, such as being run in to, being knocked down, being pushed, shoved, sat on, etc. CFOC, 3<sup>rd</sup> Ed. pg. 59 Standard 2.1.2.4*

*Separation of infants from older children is also important for reasons of disease prevention. Rates of hospitalization for all forms of acute infectious respiratory tract diseases are highest during the first year of life. Since most respiratory infections are spread from older children or adults to infants, exposure of infants to older children should be restricted, in order to limit infants' exposure to respiratory tract viruses and bacteria. CFOC, 3<sup>rd</sup> Ed. pg. 59 Standard 2.1.2.4*

### **Enforcement**

*This rule includes infants and toddlers who are children of center employees.*

*Always Level 1 Noncompliance.*

- (8) The children of the licensee or any employee, age four or older, are not counted in the caregiver to child ratios when the parent of the child is working at the center.**

### **Rationale / Explanation**

*This rule will be used to determine if a Licensee is in compliance with the rules on required capacity and caregiver to child ratios.*

### **Enforcement**

*A child's parent is considered to be "working at the center" if they are on the clock at the center but have left to perform a work-related duty (for example, a bus run or buying center supplies), or if they are on a lunch or work break.*